

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

PETER KIEWIT SONS', INC., et al.,)	
)	
Plaintiffs,)	8:08CV541
)	
v.)	ORDER
)	
ATSER, LP,)	
)	
Defendant.)	

This matter is before the court following a settlement conference with the parties and the undersigned magistrate judge. The parties reached a partial settlement to the extent that all issues except for the "source code escrow" issue were resolved. The parties further agreed that any remaining issue involving the "source code escrow" be tried to the court without a jury.

Accordingly, the parties shall amend the Pretrial Order in this matter to conform to the remaining issue to be tried and present a Final Pretrial Order to the undersigned magistrate judge by close of business on Wednesday, April 7, 2010. Trial on the "source code escrow" issue shall commence before Judge Laurie Smith Camp at 8:30 a.m. on April 12, 2010, in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

IT IS SO ORDERED.

DATED this 2nd day of April, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge